

OGC 70-1535

4 September 1970

MEMORANDUM FOR: Special Support Assistant to the Deputy
Director for Support

SUBJECT: Creditability of Annual Training Tours of
Reservists for Social Security Purposes

1. The attached letter from HEW dated 16 July 1970 is correct in all respects. However, it does not address itself to training tours subsequent to 1 January 1957.

2. Section 217(a) refers to free social security credit for military service during the so-called World War II service period and, additionally, for the free credit during the subsequent period referred to as post-World War II service. During these two periods active duty of less than 90 days is not considered active service and, consequently, social security credit is not available for the annual two-week training tours.

3. Beginning 1 January 1957, active service required social security contributions and, thus, social security credit. The law specifically refers to active duty for training to be covered by social security. Thus, since January of 1957, the annual two-week training tours of reservists have required social security contributions and is creditable for social security purposes.

4. Let me caution you that there are many other aspects of the Social Security Act which are not covered in this memorandum and there should be no interpretations or applications of what is said above except the principal point that current active duty tours are creditable for social security purposes.

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OGC Has Reviewed

cc: [] 9/23/70
Att.

[]
Deputy General Counsel

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